

MAR 13 2015

SENATE RESOLUTION

AUTHORIZING THE FORMATION OF A CANCER PRESUMPTIVE LAW TASK FORCE
TO MAKE RECOMMENDATIONS REGARDING A POTENTIAL CANCER
PRESUMPTIVE LAW FOR FIREFIGHTERS.

1 WHEREAS, modern personal protective equipment of
2 firefighters has improved but remains vulnerable to residential
3 and vehicle fires that often contain concentrated toxicants,
4 such as plastics and synthetics; and
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6 WHEREAS, fire departments have improved their practices for
7 cleaning protective clothing and breathing apparatuses but
8 remain vulnerable to multiple carcinogens and toxicants through
9 incident exposures; and
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11 WHEREAS, the exposure to toxicants during the course of a
12 firefighter's career may not be detected or manifest by visible
13 symptoms, which may lead to a cancer diagnosis well after
14 retirement; and
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16 WHEREAS, the risk of cancer arising from toxicant and
17 general incident exposures is higher among firefighters than the
18 general population; and
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20 WHEREAS, in a three-year study completed in 2005 by the
21 University of Cincinnati, researchers concluded that
22 firefighters face a higher risk of cancer than the general
23 population; and
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25 WHEREAS, statistics from this study show that when compared
26 to the general population, the risk for firefighters is:
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- 28 (1) 102 percent higher for testicular cancer;
29
30 (2) 53 percent higher for multiple myeloma;
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32 (3) 51 percent higher for non-Hodgkin's lymphoma;
33
34 (4) 39 percent higher for skin cancer;
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- 1 (5) 32 percent higher for brain and malignant melanoma;
- 2
- 3 (6) 29 percent higher for rectal cancer;
- 4
- 5 (7) 28 percent higher for prostate cancer;
- 6
- 7 (8) 24 percent higher for buccal cavity and pharynx
- 8 cancer;
- 9
- 10 (9) 22 percent higher for stomach cancer;
- 11
- 12 (10) 21 percent higher for colon cancer; and
- 13
- 14 (11) 14 percent higher for leukemia; and
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16 WHEREAS, firefighters face a greater risk of contracting
 17 infectious diseases and illnesses associated with exposure to
 18 patients under their care and biochemical substances due to
 19 bioterrorism; and

20
 21 WHEREAS, the impact is significant on the families of
 22 firefighters diagnosed with cancer including the emotional toil,
 23 financial costs, time, and decreased quality of life on the
 24 firefighter and any spouse and children; now, therefore,

25
 26 BE IT RESOLVED by the Senate of the Twenty-eighth
 27 Legislature of the State of Hawaii, Regular Session of 2015,
 28 that one member of each of the Senate and House of
 29 Representatives committees with primary jurisdiction over health
 30 are requested to convene a cancer presumptive law task force to
 31 evaluate current health and safety issues to firefighters in the
 32 State, including the increased risk of developing cancer and to
 33 make recommendations regarding the necessity and potential
 34 contents of a law establishing a rebuttable presumption that the
 35 nature of firefighting is the cause of certain illnesses, such
 36 as cancer, for purposes of determining service-connected
 37 disability benefits and insurance coverage; and

38
 39 BE IT FURTHER RESOLVED that the task force members include
 40 the following members, to be appointed by the Chairs of the
 41 Senate and House of Representatives committees with primary
 42 jurisdiction over health:



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- 1
- 2 (1) A member of the Senate and House of Representatives
- 3 committees with primary jurisdiction over health, who
- 4 are requested to facilitate the meetings of the task
- 5 force;
- 6
- 7 (2) A representative from the Department of Health who is
- 8 familiar with cancer cases in Hawaii;
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- 10 (3) A representative from the Disability Compensation
- 11 Division of the Department of Labor and Industrial
- 12 Relations;
- 13
- 14 (4) A representative from the State of Hawaii Employees'
- 15 Retirement System;
- 16
- 17 (5) A representative from the State Fire Council;
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- 19 (6) A representative from the University of Hawaii Cancer
- 20 Center;
- 21
- 22 (7) A representative from the human resources department
- 23 of each county;
- 24
- 25 (8) A representative from the health insurance industry;
- 26
- 27 (9) A private attorney familiar with workers' compensation
- 28 claims; and
- 29
- 30 (10) A representative of the Hawaii Fire Fighters
- 31 Association; and
- 32

33 BE IT FURTHER RESOLVED that the task force select a chair
 34 from among its members; and

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 36 BE IT FURTHER RESOLVED that the task force submit a report
 37 of its findings and recommendations, including any proposed
 38 legislation, to the Legislature no later than twenty days prior
 39 to the convening of the Regular Session of 2016; and

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 41 BE IT FURTHER RESOLVED that this report include:

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- 1 (1) Recommendations, if any, for revisions to the
- 2 workman's compensation laws to improve and expedite
- 3 workman compensation benefits for firefighters who are
- 4 diagnosed with cancer;
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- 6 (2) An analysis for cancer patients for the general
- 7 population compared to firefighters in the State;
- 8
- 9 (3) A cost estimate to the State and counties based on
- 10 projected increases of workman's compensation benefits
- 11 for firefighters diagnosed with cancer;
- 12
- 13 (4) The current fire department safety procedures and
- 14 protocols related to preventing and reporting of
- 15 firefighter exposure to toxicants of each county; and
- 16
- 17 (5) Recommendations, if any, of department administrative
- 18 rules that can improve the workman's compensation
- 19 benefits for firefighters diagnosed with cancer; and
- 20

21 BE IT FURTHER RESOLVED that the task force be dissolved on
 22 June 30, 2017; and

23
 24 BE IT FURTHER RESOLVED that certified copies of this
 25 Resolution be transmitted to the President of the Senate,
 26 Speaker of the House of Representatives, Director of Health,
 27 Director of Labor and Industrial Relations, Executive Director
 28 of the Employees' Retirement System, Chair of the State Fire
 29 Council, directors of the county departments of human resources,
 30 Chairperson of the Board of Regents of the University of Hawaii,
 31 Chiefs of the county fire departments, and President of the
 32 Hawaii Fire Fighters Association.

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 35

OFFERED BY:

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